

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION )  
OF LIFEENERGY, LLC FOR A )  
CERTIFICATE TO PROVIDE ELECTRIC ) PSC DOCKET NO. 16-0810  
SUPPLY SERVICES WITHIN THE STATE )  
OF DELAWARE )  
(SUBMITTED JULY 27, 2016; FILED )  
SEPTEMBER 20, 2016) )

**ORDER NO. 8951**

**ELECTRIC SUPPLIER CERTIFICATE**

This 6<sup>TH</sup> day of October, 2016, the Public Service Commission (the "Commission") determines and orders the following:

**WHEREAS,** on September 20, 2016, LifeEnergy, LLC ("LifeEnergy" or the "Company") filed an application (the "Application") pursuant 26 Del. C. §1001 - §1020, the Electric Utility Restructuring Act (the "Act"), and 26 Del. Admin. C. §3001, the Commission's Rules for Certification and Regulation of Electric Suppliers (the "Supplier Rules"),<sup>1</sup> seeking certification as a retail electric supplier in order provide Electric Supply Service; and

**WHEREAS,** in the Application, LifeEnergy stated it is seeking certification as an Electric Supplier<sup>2</sup> that will utilize

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<sup>1</sup> Unless otherwise noted, capitalized terms shall have the meanings ascribed to them in the Act and the Supplier Rules.

<sup>2</sup> Pursuant to §1001(3) of the Act, "Electric Supplier" is defined as an entity or person certified by the Commission, including municipal corporations which choose to provide electricity outside their municipal limits (except to the extent provided prior to February 1, 1999), Broker, Marketer or other entity (including public utilities and their affiliates, e.g., Delmarva), that sells electricity to Retail Electric Customers, utilizing the Transmission and Distribution Facilities of an Electric Distribution Company.

appropriate energy procurement strategies to meet the needs of residential, small commercial, large commercial, and industrial customers in Delaware; and

**WHEREAS**, as required by §3001-2.2 of the Supplier Rules, LifeEnergy provided to the Commission Staff ("Staff") the appropriate affidavits of publication showing that notice of the Application was published in the Delaware State News and The News Journal on August 10, 2016. Staff has confirmed that no one has filed any interventions, protests, or comments in this docket to date; and

**WHEREAS**, as more specifically detailed in its Memorandum to the Commission, Staff reports that the Application fulfills all of the requirements set forth in the Act and the Supplier Rules for an Electric Supplier Certificate to act as an Electric Supplier and that LifeEnergy has specifically presented substantial evidence supporting its financial, operational, managerial, and technical ability to operate as a Supplier of Electric Supply Service within the State of Delaware. Therefore, Staff recommends that the Commission issue an Electric Supplier Certificate authorizing LifeEnergy to offer Electric Supply Service within the State of Delaware consistent with the scheme adopted by the Act and the Supplier Rules;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. LifeEnergy, LLC is hereby granted a certificate to do business and operate as an "Electric Supplier" within the State of Delaware. Under this Electric Supplier Certificate,

LifeEnergy is authorized to provide Electric Supply Service within the State of Delaware consistent with and in accordance with the Act and the Supplier Rules.

2. LifeEnergy is hereby notified that a violation of any applicable order, statute, regulation, rule, or other controlling authority may be enforced by sanctions permitted by §§1012(a) and 1019 of the Act and §3001-10.2 of the Supplier Rules.

3. LifeEnergy shall file such reports and pay such fees and assessments as may be required or imposed by §§114, 115, and 1012(c) (2) of the Act and §§3001-3.9 and 3.10 of the Supplier Rules.

4. LifeEnergy consents to the jurisdiction of the courts of the State of Delaware for all acts or omissions related to its offering of Electric Supply Services in this State.

5. LifeEnergy is hereby placed on notice that the costs of this proceeding will be charged to it pursuant to §114(b) (1) of the Act.

6. The Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

**BY ORDER OF THE COMMISSION:**

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Chair

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Commissioner

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Commissioner

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Commissioner

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Commissioner

ATTEST:

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Secretary